Minutes of a Special Board Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York on Monday, December 10, 1990 at 4:10 P.M.

Present:

Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Vic Prusinowski, Councilman
Denise Civiletti, Councilwoman
James Stark, Councilman

Also Present: Irene J. Pendzick, Town Clerk

Absent: Patricia Moore, Town Attorney

## WAIVER OF NOTICE AND CONSENT OF SPECIAL MEETING

We, the undersigned, being all members of the Town Board of the Town of Riverhead, Suffolk County and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at Riverhead Town Hall, at 4:10 P.M. on the 10th day of December, 1990; and do consent to the holding of such meeting for the purpose of considering resolution to: #794 RECINDS RESOLUTION NO. 715 AND AUTHORIZES SUPERVISOR TO EXECUTE AMENDED AGREEMENT FOR MANDATORY RECYCLING PROGRAM.

Dated: December 10, 1990

TOWN BOARD MEMBERS
TOWN OF RIVERHEAD

JOSEPH F. JANOSKI Supervisor

JOHN LOMBARDI Councilman

VIC PRUSINOWSKI Councilman

DENISE CIVILETTI Councilwoman

the

JAMES STARK Councilman

There being no further business on motion or meeting adjourned at 4:11 P.M.

Irene J. Pendzick

Town Clerk

IJP:ch

12/10/90

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# 794 RESCINDS RESOLUTION NO. 715 AND AUTHORIZES SUPERVISOR TO EXECUTE AMENDED AGREEMENT FOR MANDATORY RECYCLING PROGRAM

Councilperson \_\_\_\_ offered the following resolution which was seconded by Councilperson \_.

WHEREAS, Amendment has been made to the memorandum of agreement which the Supervisor was authorized to execute by Town Board Resolution No. 715 adopted November 7, 1990.

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 715 be and is hereby rescinded; and

BE IT FURTHER RESOLVED, that the Supervisor be and is hereby authorized to execute the memorandum of agreement as attached; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Allen Smith, Esq., the Office of the Supervisor and the Office of the Town Attorney.

## TOWN OF RIVERHEAD

## Memorandum of Agreement

In response to the current solid waste emergency caused by the State of New York's mandated closing of all landfills on December 18, 1990, the parties whose signatures appear below on this Memorandum hereby agree to cooperate in the Town of Riverhead's newly mandated recycling program to begin on January 1, 1991.

The parties hereto agree that:

- 1. The Town of Riverhead has been unnecessarily forced to close its environmentally safe and well-managed landfill on December 18, 1990, by the State of New York;
- 2. In order to reduce the cost to Riverhead taxpayers and citizens for solid waste disposal, a mandated recycling program must be implemented by January 1, 1991, to reduce the total amount of solid waste that must be transferred to a remote disposal facility or site;
- A recycling program will also benefit the environment of the Town of Riverhead for all future generations;
- 4. They will cooperate in the Riverhead Town emergency recycling collection program beginning January 1, 1991, and that the carting firms which are parties to this Memorandum of Agreement will collect recyclable materials as designated by the Town of Riverhead from their residential customers twice per month or every other week on a uniform basis at no additional cost to these

residential customers providing there is no change in the tipping fee of \$40.00 per ton for solid wastes and \$20.00 per ton for recyclables;

- 5. If a change in the tipping fees should be adopted by the Town during the term of this Memorandum of Agreement, the parties hereto will negotiate a "reasonable cost pass through" formula to residential customers;
- 6. Recyclables delivered to the designated Town of Riverhead facility will have a tipping fee of fifty percent [50%] less than the regular tipping fee for other solid wastes or the actual cost charged to the Town for the removal of recyclables, whichever is lower to offset the additional collection costs to the carter for pickup of recyclables.
- 7. The details and specifications for the Town mandated recycling program, including co-mingling of recyclables, handling of newspapers, the size of containers to hold recyclables, et cetera, will be cooperatively planned with all the parties to this Agreement; and
- 8. The Town of Riverhead will issue official recycling containers to <u>all</u> residents of the Town of Riverhead that the names and phone numbers of the carting companies voluntarily cooperating in this program will be printed on a label affixed to these containers for curbside collection or for self-hauling by residents

to the Town-designated recycling facility.

TOWN OF RIVERHEAD

ROWN SANITATION, INC.

Dated:

Riverhead, New York December 7, 1990

MATTITUCK SANITATION, INC.

MOTION CARTING, INC.

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

On the 7th day of December, 1990, before me personally came JOSEPH F. JANOSKI, to be known and by me being duly sworn did depose and say: That he is the duly elected Supervisor of the Town of Riverhead, the municipal corporation described in and which executed the foregoing instrument; that he knows the seal of said Town; that he seal affixed to the foregoing instrument is its corporate seal; that it was affixed thereto by order of said Board; and the he signed his name thereto and executed the said instrument by like order and authority.

Notary Public

LYNN M. BARAUSKAS Notary Public - State of New York Suffolk County - No. 4720679 Commission Expires Jan. 31, 19

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On the 7th day of December, 1990, before me personally came and appeared JOHN DEVILLO, to me known, who by me duly sworn, did depose and say that he resides at 4400 Westphalia Drive, Mattituck, New York, that he is the President of MATTITUCK SANITATION, INC., the corporation described in and which executed the foregoing instrument, that he knows the seal of said corporation, that one of the seals affixed to said instrument is such seal, that it was so affixed by order of the Directors of said Corporation, and that he signed his name thereto by like order.

Notary Public

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

ALLEN M. SMITH
NOTARY PUBLIC, State of New Yerk
No. 52-3714225
Qualified in Suffolk County
Commission Expires March 30, 19

On the 7th day of December, 1990, before me personally came and appeared FRANK ROSSANO, to me known, who by me duly sworn, did depose and say that he resides at 1 Lawrence Drive, Smithtown, New York, that he is the Manager of CROWN SANITATION, INC., the corporation described in and which executed the foregoing instrument, that he knows the seal of said corporation, that one of the seals affixed to said instrument is such seal, that it was so affixed by order of the Directors of said corporation, and that he signed his name thereto by like order.

Notary Public

ALLEN M. SMITH
NOTARY PUBLIC, State of New Yerk
No. 52-3714225
Qualified in Suffolk County
Commission Expires March 30, 19

1/31/92

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

On this 7th day of December, 1990, before me personally came and appeared ARTHUR BUBLIK, to me known, who by me duly sworn, did depose and say that he resides at 210 Echo Avenue, Miller Place, New York, that he is the President of MOTION CARTING, INC., the corporation described in and which executed the foregoing instrument, that he knows the seal of said corporation, that one of the seals affixed to said instrument is such seal, that it was so affixed by order of the Directors of said corporation, and that he signed his name thereto by like order.

Notary Public

ALLEN M. SMITH
NOTARY PUBLIC, State of New Yerk
No. 52-3714225
Qualified in Suffolk County
Commission Expires March 30, 19

1/30/92